

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MALAK BAALIM,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:21-CV-848 JCH
)	
STATE OF MISSOURI, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This closed case is before the Court upon self-represented plaintiff Malak Baalim’s “Motion to Enjoin to Stop State Prosecution.” ECF No. 11. For the following reasons, the motion will be denied.

Plaintiff filed the instant action seeking relief from the State of Missouri and the Missouri Department of Corrections for false imprisonment. ECF Nos. 1, 7. Plaintiff cited his pending underlying criminal case, *State v. Cody*, Case No. 2022-CR02131-01 (22nd Jur. Cir. 2021), in which he was charged with one count of burglary in the second degree, one count of attempted stealing, one count of harassment in the first degree, and one count of harassment in the second degree.

On August 20, 2021, the Court dismissed this action without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B) for three reasons: (1) plaintiff could not maintain a claim for damages stemming from an allegedly wrongful incarceration unless and until the conviction is expunged or overturned in an appropriate proceeding; (2) civil rights claims against the State of Missouri and Missouri Department of Corrections are barred by the Eleventh Amendment; and (3) to the extent plaintiff could be understood to ask this Court to dismiss, enjoin, or otherwise intervene in his

ongoing state criminal proceeding, such a request is barred under the abstention doctrine set forth in *Younger v. Harris*, 401 U.S. 37 (1971). ECF Nos. 8, 9.

After this action was closed, the Court received the instant “Motion to Enjoin to Stop State Prosecution.” ECF No. 11. Within this document, plaintiff states he is a “primordial member of the Uaxa Shaktun De Mugdahmourdiah international register” and is “being held in custody in violation of the El Morroco Peace and Friendship Treaty.” He claims he does not want to “contract” with the state court and, as a result, the state is harassing him. The Court will deny this motion because its August 20, 2021 dismissal was without prejudice to plaintiff filing a new action in the future should he decide to do so; however, the instant case is closed for the reasons previously stated. To the extent plaintiff can be understood to seek the reinstatement of this case or a different civil case, he is advised that he cannot receive such relief by filing the instant motion or any other motions in this case.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s Motion to Enjoin to Stop State Prosecution [ECF No. 11] is **DENIED**.

IT IS FURTHER ORDERED that the Clerk is directed to mail plaintiff a copy of this Court’s August 20, 2021 Memorandum and Order [ECF No. 8] and Order of Dismissal [ECF No. 9].

IT IS FURTHER ORDERED that no certificate of appealability shall issue.

Dated this 27th day of October, 2021.

\s\ Jean C. Hamilton

JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE